

Marlon G. Kirton, P.C.

Marlon G. Kirton, Esq.

Regina Y. Phillips, Esq.

D. Andrew Marshall, Esq.

Of Counsel

New York City:

230 Park Ave. Suite, 1000

New York, N.Y. 10169

Tel # (646) 435 - 5519

Fax # (212) 808 - 3020

Nassau County:

175 Fulton Ave. Suite 209

Hempstead, N.Y. 11550

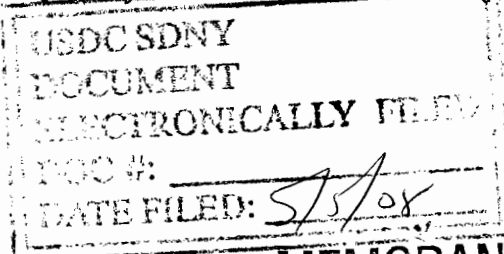
Tel # (516) 833 - 5617

Fax # (516) 833 - 5620

May 5, 2008

VIA FACSIMILE

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 510
New York, New York 10007



MEMORANDUM ENDORSED

Re: *Kirk v. Burge*, 07 Civ. 7467 (LTS)(GWG)

Dear Judge Gorenstein:

I represent the petitioner, James Kirk, in the above referenced matter. Mr. Kirk has a pending habeas corpus action before the Court. I request an opportunity to file a reply brief on or before June 5, 2008.

Petitioner filed a writ of habeas corpus on August 22, 2007. The Attorney General filed a response on April 4, 2008. The response was filed after this Court granted an extension requested by the Attorney General. I did not receive the motion filed by the Attorney General until April 8, 2008. I need additional time to review and research the matter before I submit a reply. This is my first request for an extension and I have the consent of the respondent for this request.

Please contact me if you have any questions or concerns.

Sincerely,

Marlon G. Kirton, Esq.

Granted
SO ORDERED: DATE: 5/5/2008

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE